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DATE FILED: 9/25/18

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALBERT BLANCHARD,

Plaintiff,

-against-

TABULATE, INC.

Defendant.
-----X

Case No. 1:18-cv-08631-ER

**~~PROPOSED~~ ORDER TO
SHOW CAUSE FOR A
PRELIMINARY INJUNCTION**

Upon the accompanying declaration of Albert Blanchard ("Plaintiff"), executed on September 20, 2018, with exhibits attached thereto, the supporting memorandum of law, and all prior pleadings, it is hereby:

ORDERED, that defendant Tabulate, Inc. (the "Company"), show cause ~~on or before~~ September , 2018, why, pursuant to Fed. R. Civ. P. 65(a), a preliminary injunction should not be entered:

- i. Requiring the Company to advance Plaintiff's unreimbursed fees and expenses he has already incurred totaling \$28,964.56, plus applicable interest;
- ii. Requiring the Company to advance Plaintiff's future reasonable fees and expenses in connection with the Company's claims against Plaintiff and claims Plaintiff has against the Company, in an amount of no less than \$75,000;
- iii. Requiring the Company to pay fees on fees incurred by Plaintiff in pursuing his rights under the Indemnification Agreement totaling no less than \$104,000, plus prejudgment interest; and
- iv. Granting Plaintiff such other and further relief as this Court deems just and proper.

ORDERED, that the Company's papers in response to this Order shall be filed by October 2 , 2018, any reply papers shall be filed by Plaintiff by October 5 , 2018, ~~and a hearing on Plaintiff's application for a preliminary injunction shall be held on October , 2018.~~

ORDERED, that service of a copy of this Order to Show Cause, together with all the supporting papers upon which it is based, including the Summons and Complaint, shall be made in a manner prescribed by Fed. R. Civ. P. 4 on or before September 26, 2018.

Dated: New York, New York
September 25, 2018

A handwritten signature in black ink, appearing to read 'ER', is written above a horizontal line.

Hon. Edgardo Ramos, U.S.D.J.